

Appl. No.: 09/765,958  
Amdt. dated: December 1, 2003  
Reply to Office action of July 29, 2003

Patent  
**Docket No. 260/085 (7010052001)**

**REMARKS**

Claims 1-14 stand rejected under 35 U.S.C. 103. Claims 2-14 have been canceled in a preliminary amendment filed April 22, 2003. New claims 15-30 are added. Claims 1 and 15-30 are currently pending.

Claim 1 stands rejected under 35 U.S.C. 103 based on U.S. Patent No. 6,408,413 issued to Whetsel ("Whetsel") in view of B. Dervisoglu and J. Swamy, A Novel Approach for Designing a Hierarchical Test Access Controller for Embedded Core Designs in an Soc Environment, 4<sup>th</sup> International Workshop of Testing Embedded Core-based System-Chips, 1.4-1, May 3-4, 2000, Montreal, ("Dervisoglu").

Given that the effective filing date of claim 1 is January 18, 2000, applicants submit that Dervisoglu is not prior art to claim 1. Therefore, applicants submit that claim 1 is patentable over Whetsel in view of Dervisoglu.

Given that claims 15-19 depend from claim 1, applicants submit that these claims are also patentable over Whetsel in view of Dervisoglu.

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**CONCLUSION**

Reconsideration and allowance of all pending claims are respectfully requested. The Examiner may call the Assignee's attorney at (650) 849-4400 to further advance prosecution of this case to issuance.

DATE: December 1, 2003

Respectfully submitted,

By:   
for Jeffrey S. Smith  
Registration No. 39,377

Bingham McCutchen LLP  
Three Embarcadero Center, Suite 1800  
San Francisco, California 94111  
Telephone: (650) 849-4422  
Telefax: (650) 849-4800